



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6

IN THE MATTER OF

MOLYCORP, INC., QUESTA DIVISION
P.O. Box 469
Questa, New Mexico 87556

NPDES PERMIT NO. NM0022306

DOCKET NO. VI-91-1617

ASSESSMENT OF CLASS II
ADMINISTRATIVE PENALTY
ON CONSENT UNDER CWA § 309(g)

CONSENT AGREEMENT AND ORDER
ASSESSING ADMINISTRATIVE PENALTIES

I. Statutory Authority

The following Findings are made and Consent Agreement issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA) by Section 309(g) of the Clean Water Act (hereinafter the "Act"), 33 U.S.C. § 1319(g). The Administrator has delegated these authorities to the Regional Administrator of EPA Region 6, who hereby issues this Final Order.

II. Findings of Violation

Upon consent of the parties by their attorneys and authorized officials, the Administrator finds:

1. Molycorp, Inc., Questa Division (hereinafter the "Respondent"), a person within the meaning of the Act, owns or operates a facility located in Taos County, with a mailing address of P.O. Box 469, Questa, New Mexico 87556, which discharges pollutants to the Red River, a navigable water of the United States within the meaning of Section 502 of the Act, 33 U.S.C. § 1362. Respondent is, therefore, subject to the provisions of the Act, 33 U.S.C. § 1251 et seq. including Section 309(g) of the Act, 33 U.S.C. § 1319(g).

2. On January 15, 1991, EPA Region 6 issued to Respondent, and on or about February 2, 1991, notified the public of an Administrative Complaint, Docket No. VI-91-1617, which included formal findings of violation, notice of a proposed assessment of a civil penalty against Respondent, and notice of Respondent's opportunity to request a hearing on the proposed administrative penalty assessment.

3. On January 15, 1991, the State of New Mexico was given an opportunity to consult with EPA regarding the assessment of an administrative penalty against the Respondent.

4a. The Respondent has violated Section 301 of the Act, 33 U.S.C. § 1311, by discharging 9 to 24 gallons of diesel to the Red River on August 12, 1987.

4b. The Respondent has violated Section 301 of the Act, 33 U.S.C. § 1311, by discharging mine tailings to a local acequia (irrigation ditch) system on January 11, 1990; April 13, 1990; and November 20, 1990.

4c. The Respondent has violated Part II.B.1. of NPDES Permit No. NM0022306, which condition implements Section 301 of the Act, 33 U.S.C. § 1311, and which permit has been issued to Respondent pursuant to Section 402 of the Act, 33 U.S.C. § 1342, by failing to properly operate and maintain its tailings pipeline on December 12, 1989; January 3, 1990; January 11, 1990; April 13, 1990; April 30, 1990; and November 20, 1990, resulting in spills of mine tailings.

4d. The Respondent has violated Part II.B.1. of NPDES Permit No. NM0022306, which condition implements Section 301 of the Act, 33 U.S.C. § 1311, and which permit has been issued to Respondent pursuant to Section 402 of the Act, 33 U.S.C. § 1342, by violating monthly average and/or daily maximum concentration limits for molybdenum on May 31, 1990, and fourteen (14) days of June 1990.

III. Penalty Order and Consent

Based on the foregoing findings, and having taken into account the nature, circumstances, extent, and gravity of the violation(s), Respondent's prior history of compliance, degree of culpability, economic benefit or savings resulting from the violation(s), and ability to pay, and under the authority of Section 309(g) of the Act, 33 U.S.C. § 1319(g), EPA Region 6 hereby ORDERS, AND RESPONDENT HEREBY CONSENTS, that:

1. The provisions of this Consent Agreement shall be binding upon the Respondent, its officers, directors, agents, servants, authorized representatives, employees, and successors or assigns.
2. The Respondent shall mail two (2) copies of the Consent Agreement, each with original signatures, to the attention of Ms. Carlene Ellison (6W-EA) at the following address:

U.S. EPA Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

420009

3. The Respondent shall pay \$30,000 for its past violations of the Act cited above by mailing a money order or certified check payable to Treasurer, United States of America, within thirty (30) days of the effective date of Agreement to the following address:

Regional Hearing Clerk (6C-G)
U.S. EPA Region 6
P.O. Box 360582M
Pittsburgh, PA 15251

The money order or check must list the docket number referenced on page 1 of this Order.

Respondent shall send notice of such payment, including a copy of the money order or check, to the Hearing Clerk at the following address:

Regional Hearing Clerk (6C-G)
U.S. EPA Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

and a copy to the Enforcement Branch at the following address:

Ms. Carlene Ellison (6W-EA)
U.S. EPA Region 6
Water Management Division
1445 Ross Avenue
Dallas, Texas 75202-2733

IV. General Provisions

1. Issuance of this Order does not constitute a waiver by EPA of its right to enforce the substantive legal requirements underlying this administrative penalty assessment, either administratively or judicially

pursuant to Sections 309(a), (b), and (c) of the Act, 33 U.S.C. § 1319(a), (b), and (c). Nor pursuant to Section 309(g)(7) of the Act, does issuance or compliance with this Order exempt Respondent from responsibility to comply with all requirements of the Act and of any legal order or permit issued pursuant thereto.

2. While Respondent agrees to abide by the conditions of this Order, it does not admit to any of the findings contained herein, nor does Respondent admit liability for any purpose or admit any issues of law or fact.


3. Failure by Respondent to pay in full the penalty assessed by this Consent Agreement by its due date may subject Respondent to a civil action to collect the assessed penalty plus interest, attorneys' fees, costs, and an additional quarterly nonpayment penalty pursuant to Section 309(g)(9) of the Act, 33 U.S.C. § 1319(g)(9). In any such collection action, the validity, amount, and appropriateness of the penalty and of this Consent Agreement shall not be subject to review.

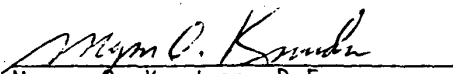
4. Respondent knowingly and explicitly waives its rights pursuant to Sections 309(g)(2) and (8), 33 U.S.C. § 1319(g)(2) and (8), to a hearing on this penalty assessment and to judicial review of this administrative penalty assessment.

V. Effective Date


This Consent Agreement and Order shall become effective thirty (30) days after the date of issuance noted below unless a petition for a hearing

is filed pursuant to Section 309(g)(4)(C) of the Act, 33 U.S.C. §
1319(g)(4)(C), by a person who commented on the proposed penalty assessment.
If such a petition is filed, EPA Region 6 will so notify Respondent and will
inform Respondent of the effect of the petition on the effective date of this
Consent Agreement and Order.


Mr. David R. Shoemaker
Mine Manager
Molycorp, Inc., Questa Division
P.O. Box 469
Questa, New Mexico 87556


Myron O. Knudson, P.E.
Director
Water Management Division (6W)
EPA Region 6

Issued this JUN 10 1991 day of _____, 1991.


Robert E. Layton Jr., P. E.
Regional Administrator
U.S. EPA Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

5
①

Molycorp, Inc.

Questa Division
P. O. Box 469
Questa, New Mexico 87556
Telephone: (505) 586-0212

union
MOLYCORP

January 14, 1985

Mr. Dick Whittington
Regional Administrator
U. S. Environmental Protection Agency
Region VI
1201 Elm Street
Dallas, TX 75270

Dear Mr. Whittington:

Enclosed is the Discharge Monitoring Report for the month of December, 1984, NPDES Permit #NM 0022306.

For outfall 002, the following excursions occurred during the month of December.

1. Total manganese daily average of 1.0 mg/L, reported at 1.3 mg/L.
2. Total molybdenum daily average of 1.0 mg/L, reported at 2.7 mg/L.
3. Total molybdenum daily maximum of 2.0 mg/L, reported at 3.0 mg/L.

These parameters are directly addressed in my June 29, 1984 letter to your Agency requesting permit modifications. As I indicated to you in the November report, Molycorp is anxious to resolve this issue and requests that either the manganese and molybdenum limits for 002 be voided during periods when outfall 001 is not discharging or that the daily average and daily maximum limitations be increased on a permanent basis.

If you have questions, please feel free to call me or Lee Lockie.

Sincerely,



C. R. Sacrison
General Manager

CRS:pcr

cc: Myron Knudson, Water Management Division
Charles Nylander, Environmental Improvement Division

420013

National Pollutant Discharge Elimination System
Compliance Sampling Inspection
Molycorp
NM0022306
April 15, 1986

Introduction

On April 15, 1986, a Compliance Sampling Inspection was conducted at Union Oil's Molycorp Mine by John Gould and Larry Smolka of the New Mexico Environmental Improvement Division (NMEID). Molycorp has been issued a National Pollutant Discharge Elimination System (NPDES) permit number NM0022306. This permit became effective on August 6, 1985 and will expire on August 30, 1988.

The purpose of this inspection was to determine compliance with the NPDES permit. The enclosed report is based on records review, on-site observations by the EID personnel, sampling of effluent at outfall 002, and verbal information supplied by Molycorp's representative, Mr. Fred Martinez.

EID staff arrived at the Molycorp offices at 10:57 on April 15, met Messrs. Shoemaker and Martinez, identified ourselves and the purpose of the inspection, and conducted a pre-inspection interview.

General

In February, 1986, Molycorp ceased mining and milling activities at the Questa mine. Currently only underground mine development and dewatering are ongoing. Approximately 525 employees were laid-off as a result of the shutdown with about 115 still employed.

Since the last EID inspection of June 18, 1985, the section of new tailings lines required by the October 1, 1984, Judgment by Consent has been completed and was in operation up until the time of the shut-down. At the present time only one of the three tailings lines is in operation and is being utilized to conduct the underground mine dewatering effluent to the tailings area west of Questa.

Due to the suspension of ore production, the mill is not in operation and no tailings materials are being produced. As a result, the ion exchange facility is also not in operation and outfall 001 is not discharging. Outfall 002, tailings impoundment seepage, continues to discharge to the Red River.

Permit

No errors or problems with Molycorp's permit were noted during this inspection. On March 6, 1986, Molycorp requested EPA to modify their current permit to allow for monthly, rather than weekly sampling at outfall 002. Molycorp's request was made due to alterations to the facility which resulted from the recent shut-down which is expected to last for one to two years at a minimum. Molycorp based it's request on the following factors:

1. The mill shut-down eliminated flow from outfall 001 and will gradually reduce the flow from outfall 002.
2. Concentration levels for selected parameters at outfall 002 have remained extremely consistent.
3. The Code of Federal regulations allows modifications to permits when there have been substantial alterations to the permitted facility after the issuance of the permit.
4. Monthly, rather than weekly, sampling would reduce the cost of analyses required for compliance.

EPA's response to Molycorp's modification request is pending.

Records and Reports

All records and reports requested and reviewed during the inspection were determined to be complete and in compliance with permit requirements.

Flow Measurements

Flow measurements at outfall 002 were determined to be in compliance. Since outfall 001 was not discharging at the time of the inspection, flow measurements at this outfall could not be checked. However, during the previous inspection it was noted that the newly installed Parshall flume at outfall 001 had not been cleaned of spattered concrete on it's inner surface. This spattered material could result in minor turbulence and slightly reduce the accuracy of flow measurements through the flume. During this inspection it was observed that the concrete was still present on the flume and, as a result, a marginally satisfactory rating is given for "Flow Measurements".

It was also noted during the inspection that the ladder into the well at outfall-002 was badly corroded and appeared unsafe. The Safety Manager at Molycorp should inspect this ladder.

Laboratory

All laboratory procedures, calibrations, and maintenance of lab equipment were determined to be satisfactory and in compliance with permit requirements.

Effluent/Receiving Waters

All sample analysis results which have been received thus far are in compliance with permit conditions.

Metals results are pending and will be reported in the form of an addendum when they are received from the Scientific Laboratory Division.

Permit limitations for manganese and molybdenum are consistently exceeded at outfall 002 (see chart). Molycorp's permit allows for compositing of the sample analysis results from outfalls 001 and 002 for months when 001 discharges. This compositing generally results in the exceedances at 002 not being violations, however, in April, 1985, even with compositing of the results from both outfalls, the daily average for manganese and the average and maximum for molybdenum were exceeded. As a result, an unsatisfactory rating is given for "Effluent/Receiving Waters".

Outfall 002

<u>Permit Limitation</u>	<u>Mn</u>		<u>Mo</u>	
	<u>Average</u> <u>1.0 mg/l</u>	<u>Maximum</u> <u>1.5 mg/l</u>	<u>Average</u> <u>2.0 mg/l</u>	<u>Maximum</u> <u>20mg/l</u>
Feb. '86	1.3*	1.4	2.3*	2.5*
Jan. '86+	1.3*	1.41	2.3*	2.85*
Dec. '85	1.6*	1.9*	2.4*	2.5*
Nov. '85	1.15*	1.36	2.27*	2.4*
Oct. '85+	1.5*	2.1*	2.0*	2.3*
Sept. '85	1.5*	1.6*	2.6*	2.8*
Aug. '85	1.6*	1.65*	2.8*	3.35*
July '85	1.8*	1.8*	2.7*	3.5*
June '85	1.6*	1.9*	2.6*	2.7*
May '85	1.3*	1.4	2.3*	2.5*
April '85†	1.36*	1.48	2.42*	2.63*
March '85	1.4*	1.5	2.17*	2.83*

* Denotes exceedance of permit limitations.

+ Denotes months when 001 discharged, allowing compositing of the analysis results from 001 & 002, and resulting in exceedances at 002 but no permit violation.

† Denotes a month when 001 discharged, allowing compositing of the analysis results from 001 & 002 but still resulting in exceedances of permit limitations.

Self-Monitoring Program

On the previous EID inspection Molycorp was given an unsatisfactory rating for "Sampling" due to compliance samples being collected in the form of two flow composited grabs collected over an eight hour day. This was the sampling requirements of Molycorp's previous, expired permit. The permit in

effect at the time required a minimum of four grab samples of effluent collected over a normal operating day (interpreted as 24-hours by the inspectors) and combined in proportion to flow. Shortly after the EID inspection the currently effective permit was issued requiring samples consisting of a minimum of 2 flow weighted grab samples collected not less than four hours apart over a normal eight hour operating day. Current sampling procedures at Molycorp were determined to be satisfactory and in compliance with the new permit as was the remainder of the permittee's self-monitoring program.

Operation and Maintenance

Operations and Maintenance of the treatment facilities at Molycorp were determined to be satisfactory, however, a spill of tailings which resulted in a bypass of the treatment works occurred on February 22, 1986. This spill was not reported because the only part of the spill which did not remain on Molycorp property entered a dry irrigation channel. Molycorp did not feel that this spill met the reporting requirements listed in the New Mexico Water Quality Control Commission regulations.

EID disagreed and cited several state regulations which EID feels are applicable due to the fact that the irrigation channel discharges to an arroyo which is a tributary of the Red River.

This issued has yet to be resolved and, as a result, a satisfactory rating is given for "Operations and Maintenance".

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
06/04/90 LTR	06/08/90	APRIL 30, 1990 AND MAY 17, 1990	EID SPILL INSPECTION					FUGATE 06/13/90	A.O IN DRAFT 6/16/90	AD			
06/14/90 LTR	06/18/90	MOLYDBNUM MASS CALCULATIONS BASED ON ONE DAY FLOW IN OUTFALL 001 AND CONTINUOUS FLOW IN OUTFALL 002: daily max 13.1 lbs/day daily avg 8.0 lbs/day six-month daily avg 7.8 lbs/day						FUGATE 06/25/90	FILED 08/16/90	AD			A.O IN DRAFT WILL COVER
05/90 DMR	06/18/90	001A NO VIOLATIONS 002A NO VIOLATIONS SUMA NO VIOLATIONS 001 & 002 NO VIOLATIONS (HOLD TIL A.O. IS ISSUED)						FUGATE 06/25/90	FILED 08/16/90				A.O IN DRAFT WILL COVER DMR LATE POSTMARKED 8/1/90
06/90 DMR	07/20/90	001A NO VIOLATIONS 002A NO VIOLATIONS SUMA NO VIOLATIONS 001 & 002 NO VIOLATIONS (HOLD TIL A.O. IS ISSUED)						FUGATE 07/24/90	FILED 08/16/90				A.O IN DRAFT WILL COVER DMR LATE POSTMARKED 8/1/90
04-06/90 DMR(TOXICITY)	08/05/90	TX1A PASSED = 0						FUGATE 08/14/90	FILED	AD		08/16/90	DMR LATE POSTMARK 8/1/90 A.O IN DRAFT WILL COVER
07/90 DMR	08/21/90	001A NO DISCHARGE 002A MANGANESE, deav	1.77		1	mg/l	1.8	FUGATE 08/27/90	AO 90-1037 ISSUED				

- 1 - Permit/CD
- 2 - AO & AO matl
- 3 - DMR's
- 4 - Vio. Sum. Log
- 5 - NCR
- 6 - Correspondence
- 7 - CRAS
- Date Filed
- Clerk's Inits.

420018

000235

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
			MANGANESE,damx	1.79	1.5	mg/l	1.2						
			MOLYBDENUM,daav	2.36	1	mg/l	2.4						
			MOLYBDENUM,damx	2.54	1.5	mg/l	1.7						
		SUMA	NO VIOLATIONS										
08/21/90 AO 90-1037	08/20/90	AO 90-1037 ISSUED 8/21/90 SHOW CAUSE AO - REQUESTING A MTG SET-UP							FILED	AD		08/28/90	CODED PCS 8/30/90
09/07/90 LTR	09/12/90	LTR FROM NMEID (MIKE SALADEN) IN RESPONSE TO EPA LTR 9/5/90. HE WILL ATTEND MTG W/MOLYCORP						FUGATE 09/20/90	FILED	AD		09/29/90	
09/07/90 LTR	09/13/90	PERFORMANCE EVALUATION REPORT						FUGATE 09/20/90	FILED	AD		09/29/90	
09/17/90 LTR	09/18/90	RESPONSE TO AO 90-1037 PROVIDING EXPLANATION FOR THE VOLIATIONS BEING ADDRESSED BY THE AO						FUGATE 09/20/90	FILED	AD		09/29/90	
08/90 DMR	09/17/90	001A NO DISCHARGE 002A MANGANESE,daav MOLYBDENUM,daav MOLYBDENUM,damx SUMA NO VIOLATIONS	1.67 2.41 2.47	1 1 2	mg/l mg/l mg/l	1.7 2.4 1.2		FUGATE 09/29/90	FILED	AD	10/09/90	01/17/91	NO INDICATION ON 001A DMR FOR NO DISCHARGE
09/19/90 CLOSURE OF AO 88-179	10/02/90	CLOSURE OF AO 88-179							FILED	AD		10/01/90	CODED PCS 10/2/90
10/02/90	10/10/90	NONCOMPLIANCE REPORT						FUGATE	FILED	AD		11/5/90	

420019

000236

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
NCR			LTR INFORMING NMEID OF THEIR ANALYSIS OF pH & CYANIDE WERE NOT WITHIN ACCEPTABLE LIMITS					10/24/90					
09/90 DMR	NO DATE	TX1A	NOT REPORTED						WE-10	AD	10/30/90	01/17/91	
		001A	NO DISCHARGE										
		002A	MANGANESE, daav	1.72	1	mg/l	1.7						
			MANGANESE, damx	2.49	2	mg/l	1.2						
			MOLYBDENUM, daav	2.35	1	mg/l	2.4						
			MOLYBDENUM, damx	2.49	2	mg/l	1.2						
		SUMA	NO VIOLATIONS										
09/12/90	09/17/90		PERFORMANCE EVALUATION REPORT					FUGATE 09/20/90	FILED	AD		11/7/90	RETURN TO ENG 11/7/90
10/90 DMR	11/19/90	001A	NO DISCHARGE										
		002A	MANGANESE, daav	1.69	1	mg/l	1.7						
			MANGANESE, damx	1.75	2	mg/l	0.9						
			MOLYBDENUM, daav	2.15	1	mg/l	2.2						
			MOLYBDENUM, damx	2.34	2	mg/l	1.2						
		SUMA	NO VIOLATIONS										
11/21/90 NCR (BYPASS)	NO DATE		NON-COMPLIANCE REPORT					FUGATE INCLUDED IN APO 91-1617				1/16/91	
			11/20/90 THERE WAS A TAILING SPILL - EST 22,500 GALLON CAUSED BY A WEAR OF THE BOTTOM OF THE PIPE TO PREVENT RECURRENCE OF NONCOMPLYING: EMERGENCY SUMPS WILL BE DRAINED IN THE FUTURE TO					12/20/90	1/11/91				

420020

000237

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
PREVENT LOSS OF STORAGE CAPACITY & OLDER SECTIONS OF TAILING PIPE LINES WILL BE GAUGED.													
12/03/90 EID SPILL INSP	12/07/90	11/20/90	EID SPILL INSPECTION REPORT					FUGATE 12/20/90	FILED	AD		1/8/91	COVERED IN AO 91-1617
12/06/90 LTR	12/12/90		RESPONSE TO AO 90-1037					FUGATE 12/20/90	FILED	AD		1/16/91	
11/90 DMR	12/17/90	001A 002A SUMA	NO DISCHARGE NO VIOLATIONS NO VIOLATIONS						FILED	AD		1/8/91	
12/90 DMR	01/09/90	001A 002A SUMA	NO DISCHARGE NOT RPTD NO VIOLATIONS						WE-10	AD	1/16/91		
01/15/91 APO 91-1617			APO 91-1617 ISSUED FOR BYPASSES, FAILURE TO MAINTAIN IT TAILINGS PIPELINE & VIOLATING PERMIT LIMITS OF MOLYBDENUM AVG &/OR DAILY MX						FILED	AD		1/16/91	CODED PCS 1/16/91
12/90 DMR	01/09/91	002A	NO VIOLATIONS						FILED	AD		1/28/91	
01/24/91 ITD	01/27/91		RESPONSE TO APO 91-1617 FOR PROPOSAL AND TO REQUEST A CONFERENCE.					TEEL 2/4/91	FILE	AD		2/12/91	CODED PCS 2/4/91

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
09/90 DMR	10/28/90	TX1A	PASSED = 0						FILED	AD		2/5/91	
01/28/91 LTR	02/04/91		LTR PROVIDING A XEROX COPY OF TX1A DMR FOR 9/90						FILED	AD		2/4/91	ROUTED TO PCS 2/4/91
02/26/91 CRAS			CRAS ROUTED TO END REQUESTING CLOSURE OF AO 90-1037					CRAWFORD 2/26/91	ADM CLOSE IN ROUTE(2/28/91)	AD		3/2/91	
01/91 DMR	02/07/91	001A 002A SUMA	NO DISCHARGE NO VIOLATIONS NO VIOLATIONS						FILED	AD		3/5/91	
02/28/91 CLOSURE AO 90-1037			CLOSURE OF AO 90-1037						FILED	AD		3/7/91	CODED PCS 3/7/91
03/12/91 EPA LTR			EPA LTR REQUESTING MISSING TX1A DMR FOR 12/90						FILED	AD		3/12/91	CODED PCS 3/12/91
02/91 DMR	03/14/91	001A 002A SUMA	NO DISCHARGE NO VIOLATIONS NO VIOLATIONS						FILED	AD		3/21/91	
10-12/90 DMR	03/19/91	TX1A	CHR CERIODAPHNIA = FAILED (1) OTHERS PASSED = 0						FILED	AD		3/25/91	
03/22/91	03/26/91		LTR INFORMING NMEID OF THE COMPLETION & SAMPLING					CRAWFORD	FILED	AD		4/10/91	

420022

000239

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
LTR TO NMEID			OF THE WELLS WHICH THEY HAD AGREED UPON LOCATED IN THE TWO TAILINGS SUMP AREAS.					4/2/91					
03/26/91 LTR (NCR)	04/01/91		LTR TO NMEID INFORMING THEM OF A SPILL ON 3/26/91 WHICH WAS CAUSED BY THE RUPTURE OF #2 LINE AT STATION NO. 36546. SPILL AMOUNT APPROX 1,000 GALLONS. ACTION TAKEN TO PREVENT RECURRENCE: THE LINE WAS IMMEDIATELY DISCHARGE INTO THE SUMP AND CLEANED UP THE SPILL.					MITZ 4/3/91	NO ACTION 4/11/91				
03/15/91 L/S CORRECTION			LIMIT SUMMARY CORRECTION: DELETE OUTFALL 001A & TX1A LIMITS DOES NOT GO INTO EFFECT UNTIL MILL START-UP					RTD TO CSC 3/15/91	ORDER PRE- PRINT DMRS	AD		4/5/91	
04/02/91 AO 91-130			AO 91-130 ISSUED FOR NON-REPORTING OF 4/90 SUMA DMR						FILED	AD		4/5/91	CODED PCS 4/5/91
03/26/91 NCR (BYPASS)	04/09/91		NONCOMPLIANCE REPORT MOLYCORP INC. ON 3/26/91 SPILL - 1,000 GALLONS CAUSED BY RUPTURE OF #2 LINE @ STATION NO. 26546 ACTION TAKEN TO PREVENT RECURRENCE: TAILINGS CONTAINED IN TRENCH WHICH TAILINGS LINES ARE BEDDED					MITZ 4/10/91	NO ACTION 4/18/91	AD		4/23/91	
04/08/91 BIOMONITORING RPT	04/12/91		BIOMONITORING REPORT FOR FIRST QTR (3/91)					MARTINEZ/6WP 4/23/91	NO ACTION	AD		7/12/91	COPIED & SENT TO FILE 4/23/

420023

000240

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
04/17/91 LTR W/DMR	04/19/91			LTR EXPLAINING THE DELAY OF SUBMITTING SUMA DMR FOR 4/90. (LTR SENT TO FILE & DMR COPIED AND SENT TO PCS UNIT FOR DATA ENTRIES)					FILED	AD		4/24/91	
03/18/91 LTR W/DMR	03/19/91			RESPONSE TO EPA LTR DTD 3/13/91 REQUESTING MISSING TX1A DMR FOR 12/90 (RCVG @ DESK 4/18/91) DMR SENT TO CSC AND BIOMONITORING RPT SENT TO 6W-P									
03/91 DMR	04/12/91			TX1A PASSED = 0 001A NO DISCHARGE 002A NO VIOLATIONS SUMA NO VIOLATIONS					FILED	AD		4/24/91	
04/91 DMR	05/14/91			001A NO DISCHARGE 002A NO VIOLATIONS SUMA NO VIOLATIONS					FILED	AD		5/30/91	
05/22/91 NCR (BYPASS)	05/28/91			NONCOMPLIANCE REPORT (BYPASS) MOLYCORP ON 5/21/91 SPILL - 25 GALLONS CAUSED BY PRESSURE SURGE IN THE CAUSING A WATER HAMMER EFFECT WHICH SEPARATED A PIPE COUPLING. ACTION TAKEN TO PREVENT REURRENCE: TAILING LINES WAS IMMEDIATELY DUMPED & TAILINGS LINE MAINTENANCE CREWS WERE DISPERSED TO CONTAIN				MITZ 6/5/91	FILED	AD		6/17/91	

420024

000241

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
THE SPILL.													
05/30/91 LTR	06/04/91		RESPONSE TO EPA LTR DTD 4/24/91 REQUESTING MORE INFORMATION ON THE FORMULA AN/OR PROCEDURE OF THE FINES THAT WILL BE ASSESSED & THE OUTCOME OF VIOLATION(S) & AMOUNT.					MITZ 6/6/91	FILED	AD		8/28/91	
06/10/91 AO 91-1080			AO 91-1080 ISSUED FOR BY-PASS OF TAILINGS ON 5/21/91						FILED	AD		6/11/91	CODED PCS 6/11/91
06/10/91 APO 91-1617			APO 91-1617 FINAL ISSUANCE FOR PENALTY PAYMENT IN THE AMOUNT OF \$30,000						FILED	AD		6/11/91	CODED PCS 6/11/91
05/91 DMR	06/13/91	001A 002A SUMA	NO DISCHARGE NO VIOLATIONS NO VIOLATIONS						FILED	AD		6/24/91	
06/19/91 AO 91-1080	06/24/91		RESPONSE TO AO 91-1080					MITZ 6/26/91	SCHEDULE AO IN DRAFT (8/15/91)	AD		8/28/91	CODED PCS 6/26/91
06/21/91 APO 91-1617	06/24/91		APO 91-1617 PENALTY PAYMENT IN THE AMOUNT OF \$30,000						FILED	AD		6/26/91	CODED PCS 6/26/91
07/02/91 LTR FROM NMEID	07/08/91		LTR FROM NMEID TO MOLYCORP INC INFORMING THEM OF THE DISAPPROVAL OF CORRECTIVE ACTION REPORTED					MITZ 7/12/91	FILED	AD		8/28/91	

420025

000242

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
07/11/91 LTR	07/16/91		LTR INFORMING EPA THAT THE PRESENT DMR's RECEIVED DOES NOT CONSIST OF OUTFALL 001 NOR FLOW WEIGHTED COMPOSITE 001 & 002 AND THAT IN THE PAST EPA INCLUDED DMR's FOR OUTFALL 001.						FILED	AD		7/25/91	
07/18/91 LTR			EPA LTR (6WP) INFORMING THEM THAT NO ADDITIONAL BIOMONITORING IS REQUIRED FOR OUTFALL 002A AND THAT THEY HAVE FULFILLED PERMIT REQUIREMENTS. THEY MUST CONDUCT TWO MORE QTRLY TESTING USING EFFLUENT FROM OUTFALL 001, SAME EFFLUENT DILUTIONS REQUIRED FOR THE COMBINE EFFLUENT SAMPLING FOR OUTFALL 001 & 002.						FILED	AD		7/25/91	
07/03/91 MEMO TO FILE			MEMORANDUM TO FILE FROM MARTINEZ (6W-PT) REFERENCING BIOMONITORING REQUIREMENTS. ITS STATES THAT THE PERMITTEE MUST CONDUCT TWO MORE QTRLY TEST USING EFFLUENT FROM OUTFALL 001						FILE	AD		7/25/91	
07/19/91 LTR	07/25/91		LTR ADDRESSES QUESTIONS ASKED BY NMEID's LTR DTD 7/2/91 ON CORRECTIVE ACTION/SPILL REPORT ON 6/3/91					MITZ 7/27/91	FILED	AD		8/28/91	
06/91 DMR	07/18/91	001A	NO DISCHARGE						FILED	AD		7/29/91	
		002A	NO VIOLATIONS										
		SUMA	NO VIOLATIONS										

420026

000243

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
07/29/91 LTR (RPT)	08/06/91		LTR REPORTING THE RESULTS OF ALL WELLS EXCEPT FOR US-2 WELL (DID NOT HAVE ENOUGH WTR FOR SAMPLING)					MITZ 8/7/91	FILED	AD		8/28/91	
08/14/91 CRAS			CRAS REQUESTING CLOSURE OF AO 91-1080 (ALL REQUIREMENT HAS BEEN MET)					MITZ 8/14/91	WILL CLOSE 8/19/91	AD		8/28/91	
08/19/91 CLOSE-OUT LTR			CLOSURE OF AO 91-1080						FILED	AD		8/28/91	CODED PCS 8/28/91
07/91 DMR	08/09/91	002A	NO VIOLATIONS						FILED	AD		9/5/91	
08/29/91 AO 91-415			AO 91-415 ISSUED FOR UNAUTHORIZED BYPASSES AND PROVIDE COMPLIANCE SCHEDULE FOR CORRECTING THE BYPASS (SCHEDULE AO)						FILE	AD		9/9/91	CODED PCS 9/9/91
09/03/91 LTR	09/05/91		LTR FROM NMEID TO MOLYCORP REGARDING 5/21/91 TAILING LINE BROKE & DISCHARGED MILL TAILINGS INTO AN ACEQUIA & ONTO ADJACENT LAND					MITZ 9/11/91	FILE	AD		9/18/91	
08/91 DMR	09/12/91	002A	NO VIOLATIONS						FILED	AD		9/18/91	
09/12/91 LTR	09/18/91		RESPONSE TO AO 91-415					MITZ 10/1/91	FILE	AD		10/9/91	CODED PCS 10/1/91

420027

000244

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
10/01/91 LTR	10/03/91		LTR FROM NMEID REFERENCING LTR DTD 9/3/91 REQUESTING CLEAN-UP OF TAILING SPILL					MITZ 10/9/91	FILE	AD		10/24/91	
10/02/91 LTR	10/08/91		LTR TO NMEID RE:SEMI ANNUAL SAMPLING AGREEMENT IN THE MONTH OF SEPTEMBER 1991					MITZ 10/9/91	FILE	AD		10/24/91	
09/91 DMR	10/08/91	002A	NO VIOLATIONS						FILED	AD		10/17/91	
10/17/91 LTR	AT DESK 10/24/91		RESPONSE TO AO 91-415					MITZ 10/24/91	FILE	AD		10/31/91	
10/25/91 LTR	10/29/91		LTR FROM NMEID TO MOLYCOPR REGARDING THE INSPECTION OF THE CLEAN-UP OF THE TAILING WHICH SPILLED ONTO THEIR LAND DURING THE 5/21/91 MOLYCOPR TAILINGS PIPELINE FAILURE						FILE	AD		10/31/91	
10/29/91 ROC/NCR			RECORD OF COMMUNICATION MOLYCOPR CALLED TO REPORT SMILL OF MINE WATER, GROUND WTR WHICH SEEPS INTO THE MINE & IS USED IN THE MINING PROCES.						FILE	AD		10/31/91	ENG (MITZ) TALK TO THEM 10/29/91 & WROTE THIS ROC
11/01/91 NCR (BYPASS)	11/11/91		NONCOMPLIANCE REPORT (BYPASS) LTR TO NMEID (SURFACE WTR SECT) REFERENCING TELEPHONE CONVERSATION ON 10/29/91 OF A WATER SPILL FROM THEIR PROPERTY WHICH ENTERED THE RED RIVER					SMITH 11/27/91	DRAFTED WE-3	AD		12/3/91	

420028

000245

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
11/15/91 LTR	11/20/91			LTR INFORMING EPA THEY ARE IN THE PROCESS OF OPERATING AN EXPERIMENTAL LUBE GRADE CIRCUIT WHICH, FROM TIME TO TIME, REQUIRES THE USE OF SMALL AMOUNTS OF ZINC CYNAD COMPLEX AS A DEPRESSANT. THEY DO NOT FORESEE ANY PROBLEMS					FILE	AD		11/27/91	
10/91 DMR	11/08/91	002A	NO VIOLATIONS	SUMA	NO VIOLATIONS				FILED	AD		12/6/91	
11/27/91 LTR	12/05/91			RESPONSE TO AO 91-415 (PROGRESS REPORT #2)				SMITH 12/13/91	FILE	AD		1/7/92	CODED PCS 12/13/91
12/03/91 LTR	12/10/91			LTR TO NMEID SUMMARIZING TELEPHONE CONVERSATION REFERING MALFUNCTION OF MILL WTR SYSTEM ON 11/26/91 AND 11/27/91 WHICH CAUSED OVERFLOWS				SMITH 12/13/91	WE-3 DRAFTED 12/23/91	AD		1/7/92	
12/04/91 LTR	12/10/91			LTR FROM NMEID TO MOLYCORP IN RESPONSE TO LTR DTD 11/1/91 ADDRESSING WRITTEN NOTIFICATION & CORRECTIVE ACTION FOR SPILL				SMITH 12/13/91	WE-3 DRAFTED 12/23/91	AD		1/7/92	
11/91 DMR	12/10/91	002A	NO VIOLATIONS	SUMA	NO VIOLATIONS				FILED	AD		1/6/92	
12/16/91 LTR	12/20/91			RESPONSE TO NMED LTR DTD 12/4/91 REQUESTING A MODIFIED CORRECTIVE ACTION RPT				SMITH 1/7/92	FILE	AD		1/13/92	

420029

000246

NPDES VIOLATION SUMMARY SHEET

29-Apr-93

NPDES #	NM0022306	LOCATION	QUESTA, NEW MEXICO	PERMIT EFFECTIVE	JUNE 21, 1988
PERMITTEE	MOLYCORP INC, QUESTA DIV	STATUS	MAJOR	AO/CD	90-1037 DTD 8/21/90
OFFICIAL	DAVID R. SHOEMAKER, GEN SUPT	CONTACT	CURT SERVISS (586-7614)	PERMIT ENGIN.	MARTINEZ
PHONE	(505) 586-0212	ENG/SCIE	NELSON "BEAU" SMITH	ORDER PRE-PRINT DMR	APRIL 5, 1991

DESCRIPTION/ VIOL. DATE	RECEIVED 6W-EA	OUT FALL	PARAMETER	REPORTED DATA	PERMIT LIMIT	UNITS	% OVER	VRAC: TO ENG/SCI	ACTION TAKEN	ORIGIN- ATOR	ACTION DRAFTED	ACTION COMPLETED	COMMENTS
12/19/91 LTR	12/23/91		RESPONSE TO MOLYCORP LTR DTD 12/16/91					SMITH 1/7/92	FILE	AD		1/13/92	
12/29/91 LTR	01/14/92		NEWSPAPER ARTICLE REFERENCING THE FILLING OF MOLYBDENUM MINE					SMITH 1/23/92	FILE	AD		1/29/92	
12/91 DMR	01/11/92	002A	NO VIOLATIONS						FILED	AD		1/28/92	
		SUMA	NO VIOLATIONS										

420030

000247

PART I
REQUIREMENTS FOR NPDES PERMITS

*Partial Permit
for Molycomp*

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSOUTFALL 002

During the period beginning the effective date and lasting until mill start-up, the permittee is authorized to discharge from Outfall 002 - seepage from tailing impoundment.

Such discharges shall be limited and monitored by the permittee as specified below:

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>			
	<u>Mass (lbs/day)</u>		<u>Other Units (Specify)</u>	
	<u>Daily Avg</u>	<u>Daily Max</u>	<u>Daily Avg</u>	<u>Daily Max</u>
Flow (MGD)	N/A	N/A	(*1)	(*1)
Chemical Oxygen Demand	N/A	N/A	60 mg/l	90 mg/l
Total Suspended Solids	N/A	N/A	20 mg/l	30 mg/l
Total Arsenic	N/A	N/A	0.5 mg/l	1.0 mg/l ←
Total Cadmium	N/A	N/A	N/A	0.05 mg/l ←
Total Copper	N/A	N/A	0.15 mg/l	0.30 mg/l ←
Total Cyanide	N/A	N/A	0.025 mg/l	0.05 mg/l
Fluoride	N/A	N/A	N/A	3.0 mg/l
Total Iron	N/A	N/A	N/A	0.6 mg/l
Total Lead	N/A	N/A	0.3 mg/l	0.6 mg/l ←
Total Manganese	N/A	N/A	(*1) mg/l	(*1) mg/l
Total Mercury	N/A	N/A	0.001 mg/l	0.002 mg/l
Total Molybdenum	N/A	N/A	(*1) mg/l	(*1) mg/l
Total Zinc	N/A	N/A	N/A	0.2 mg/l ←
Biomonitoring	N/A	N/A	N/A	N/A

<u>Effluent Characteristic</u>	<u>Monitoring Requirements</u>	
	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow (MGD)	Daily	Estimate
Chemical Oxygen Demand	1/Month	Composite
Total Suspended Solids	1/Month	Composite
Total Arsenic	1/Month	Composite
Total Cadmium	1/Month	Composite
Total Copper	1/Month	Composite
Total Cyanide	1/Month	Composite
Fluoride	1/Month	Composite
Total Iron	1/Month	Composite
Total Lead	1/Month	Composite
Total Manganese	1/Month	Composite
Total Mercury	1/Month	Composite
Total Molybdenum	1/Month	Composite
Total Zinc	1/Month	Composite
Biomonitoring	One-time	(*2)

420031

OUTFALL 002

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/month by grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 002 Latitude 36° 40' 61" and Longitude 105° 37' 30" which is the collected and combined seepage from the tailings impoundment.

FOOTNOTES

(*1) Report.

(*2) See Part III, Paragraph D.

PART I
REQUIREMENTS FOR NPDES PERMITS

SECTION A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

OUTFALLS 001 & 002

During the period beginning mill start-up and lasting through the expiration date, the permittee is authorized to discharge from Outfalls 001 - process water from milling operation and tailings disposal; 002 - seepage from tailing impoundment.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations			
	Mass (lbs/day)		Other Units (Specify)	
	Daily Avg	Daily Max	Daily Avg	Daily Max
Flow (MGD)	N/A	N/A	(*1)	(*1)
Chemical Oxygen Demand	N/A	N/A	60 mg/l	90 mg/l
Total Suspended Solids	N/A	N/A	20 mg/l	30 mg/l
Total Arsenic	N/A	N/A	0.5 mg/l	1.0 mg/l
Total Cadmium	N/A	N/A	N/A	0.05 mg/l
Total Copper	N/A	N/A	0.15 mg/l	0.30 mg/l
Total Cyanide	N/A	N/A	0.025 mg/l	0.05 mg/l
Fluoride	N/A	N/A	N/A	3.0 mg/l
Total Iron	N/A	N/A	N/A	0.6 mg/l
Total Lead	N/A	N/A	0.3 mg/l	0.6 mg/l
Total Manganese	N/A	N/A	1.0 mg/l	1.5 mg/l
Total Mercury	N/A	N/A	0.001 mg/l	0.002 mg/l
Total Molybdenum	25 (*4)	50 (*3)	1.0 mg/l	2.0 mg/l
Total Zinc	N/A	N/A	N/A	0.2 mg/l
Biomonitoring	N/A	N/A	N/A	N/A

Effluent Characteristic	Monitoring Requirements	
	Measurement	Sample
	Frequency	Type
Flow (MGD)	(*5)	Record
Chemical Oxygen Demand	1/Week	Composite (*2)
Total Suspended Solids	1/Week	Composite (*2)
Total Arsenic	1/Week	Composite (*2)
Total Cadmium	1/Week	Composite (*2)
Total Copper	1/Week	Composite (*2)
Total Cyanide	(*6)	Composite (*2)
Fluoride	1/Week	Composite (*2)
Total Iron	1/Week	Composite (*2)
Total Lead	1/Week	Composite (*2)
Total Manganese	1/Week	Composite (*2)
Total Mercury	1/Week	Composite (*2)
Total Molybdenum	1/Week	Composite (*2)
Total Zinc	1/Week	Composite (*2)
Biomonitoring	1/Quarter	(*7)

OUTFALLS 001 & 002

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/week by grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s):

Outfall 001 Latitude 36° 40' 61" and Longitude 105° 38' 30" which is the discharge spillway from Pope Lake.

Outfall 002 Latitude 36° 40' 61" and Longitude 105° 37' 30" which is the collected and combined seepage from the tailings impoundment.

FOOTNOTES

- (*1) Report.
- (*2) See Part III, Paragraph B.
- (*3) Sum total for Outfalls 001 & 002.
- (*4) Sum total average for Outfalls 001 & 002 for six months preceeding reporting period end date; also report daily average mass for each month.
- (*5) Continuous and totalized monitoring for Outfall 001; daily estimate for Outfall 002.
- (*6) 2/week for Outfall 001; 1/week for Outfall 002.
- (*7) See Part III, Paragraph C.

PART III
OTHER CONDITIONS

A. The term "composite sample" means a sample consisting of a minimum of two grab samples of effluent collected not less than four hours apart over a normal eight hour operating day and combined proportional to flow or a sample continuously collected proportional to flow over a normal eight hour operating day. All such samples shall be typical and representative of effluent generated during the period since the last sample was collected.

B. Analysis and reporting for Outfalls 001 and 002 shall be accomplished separately for each outfall. In addition, the permittee shall report the flow weighted average results for Outfalls 001 plus 002. Effluent limitations on weight of total molybdenum shall be the sum total for Outfalls 001 and 002. For determination of compliance with other effluent limitations the following shall apply:

1. Discharge from Outfall 001 shall be in compliance.
2. A composite sample of discharges from Outfalls 001 and 002 monitoring samples combined in flow weighted proportion shall be in compliance, except that concentration limits for molybdenum and manganese are suspended during periods of zero flow from Outfall 001.

During periods when no flow occurs from Outfall 001, monthly average reporting of concentration for molybdenum and manganese shall be based on the average of all composite samples obtained in the month for Outfalls 001 and 002; and monthly maximum reporting of concentration for molybdenum and manganese shall be based on the maximum composite sample obtained in that month for Outfalls 001 and 002. In conjunction with the DMR for each month, the permittee shall report periods, if any, when no flow exists at Outfall 001.

C. CHRONIC BIOMONITORING REQUIREMENTS - Combined Outfalls 001 and 002

a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section. Such testing will determine if an appropriately dilute effluent sample affects the survival and reproduction or growth of the appropriate test organism. The permittee shall initiate the following series of tests within 60 days after mill start up to evaluate